

MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

January 11, 2022

1. CALL TO ORDER:

Mayor Bob Engler called the meeting to order at 6:00 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

2. PLEDGE OF ALLEGIANCE: Mayor Engler led the pledge of allegiance.3. ROLL CALL:

Present: Councilmembers Bill-de la Peña, Adam, McNamee, and Jones present via video conference, Mayor Engler present in chambers.

Also present in person and via video conference: City Manager Andrew P. Powers, City Attorney Tracy M. Noonan, Assistant City Manager Ingrid Hardy, City Clerk Cynthia M. Rodriguez, Finance Director Jaime Boscarino, Community Development Director Kelvin Parker, Public Works Director Cliff Finley, Cultural Affairs Director Jonathan Serret, Human Resources Director Tim Giles, Police Chief Jeremy Paris, Fire Chief Jeff Shea, Deputy Public Works Director Nader Heydari, Planning Division Manager Stephen Kearns, Senior Planner Carlos Contreras, Engineering Division Manager Shamir Shahamiri, Deputy City Clerk Laura Maguire, Information Technology Supervisor Atanas Beltchev, Cable Operations Supervisor Carl Jarecky, Senior Video Specialist Richard Swingler, Senior Video Specialist Alma Trejo-Rodriguez, and Assistant Analysts Sandra Delgado and Christy Glaubke.

4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:5. SPECIAL PRESENTATIONS: None.6. PUBLIC COMMENTS:

Speaker: Rondi Guthrie, Athens Services; James Scott, Westlake Village; Adam Haverstock, Greater Conejo Valley Chamber of Commerce.

City Manager Powers addressed public comments.

7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

8. PUBLIC HEARINGS: None.9. STUDY SESSIONS: None.

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10. DEPARTMENT REPORTS:

- A. Thousand Oaks Alliance for the Arts Operations and Programming Update presented by Board Chair David Mead.

Speakers/Written Statements: None.

Motion by Councilmember Bill-de la Peña to receive and file Thousand Oaks Alliance for the Arts operations and programming update for the previous six months ending December 31, 2021, carried 5-0 by the following vote: Ayes - Bill-de la Peña, Adam, McNamee, Jones, and Engler; Noes – None.

- B. Initiate Height Overlay Zone Change and Authorize Concurrent Processing of Entitlement Applications (Z 2021-70997); Applicant: Thousand Oaks Marketplace presented by Senior Planner Contreras. Community Development Director Parker, City Manager Powers, and City Attorney Noonan responded to questions. Planning Division Manager Kearns available for questions. Additional information supplemental packet.

RESOLUTION INITIATING A ZONE CHANGE AND AUTHORIZING CONCURRENT PROCESSING OF ENTITLEMENT APPLICATIONS AND A HEIGHT OVERLAY ZONE FOR LAND LOCATED AT 33 WEST HILLCREST DRIVE (Z 2021-70997: THOUSAND OAKS MARKETPLACE)
RES. NO. 2022-003

Speakers: Sandy Sigal, applicant; Atman Kadakia, applicant; Clint Fultz, Thousand Oaks; Karen Wilburn, Newbury Park; Rosanna Guerra, Thousand Oaks; Adam Haverstock, Greater Conejo Valley Chamber of Commerce.

Written Statements: None.

Motion by Councilmember Adam to adopt the resolution to authorize concurrent processing of entitlements with a Height Overlay Zone Change Application for a contemplated hotel and commercial retail building on a 1.25-acre site within the Janss Marketplace located at 33 West Hillcrest Drive, carried 3-2 by the following vote: Ayes - Adam, McNamee, and Engler; Noes – Bill-de la Peña, Jones.

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10. DEPARTMENT REPORTS: (Continued)

- C. Lawrence Drive and Teller Road Intersection Improvements Project (CI 5297) presented by Deputy Public Works Director Heydari. Engineering Division Manager Shahamiri available for questions.

Speakers/Written Statements: None.

Motion by Councilmember Bill-de la Peña to approve the project design, plans, specifications, and Addenda Nos. 1 through 8 for the construction of the Lawrence Drive and Teller Road Intersection Improvements Project (CI 5297); award construction contract to Toro Enterprises, Inc. (Oxnard, CA) in the amount of \$1,865,097, plus a contingency of \$186,500; approve Second Amendment to Professional Services Agreement Contract No. 12336-2020 with Kimley-Horn and Associates, Inc. (Los Angeles, CA) for additional design services and construction support services for the Lawrence Drive and Teller Road Intersection Improvements project in the amount of \$106,216, for a revised not-to-exceed amount of \$318,216 and extend the term of the agreement to June 30, 2023; approve budget appropriation in the amount of \$1,181,313 from A/C #001-0000-311-1000 (General Fund, Fund Balance) to A/C #001-5310-631-8300 (CI 5297, Lawrence Drive and Teller Road Intersection Improvements Project); authorize expenditure in the amount of \$2,202,813 (\$1,865,097 construction contract; \$186,500 construction contingency; \$106,216 Second Amendment for additional design and construction support services; \$20,000 for construction phase Quality Control/Quality Assurance inspection and testing; and \$25,000 City furnished supplies and materials) for the Lawrence Drive and Teller Road Intersection Improvements (CI 5297) project; delegate authority to City Engineer to approve changes in design, plans, specifications, and working details of project on work directives and change orders up to project approved contingency amount, carried 5-0 by the following vote: Ayes - Bill-de la Peña, Adam, McNamee, Jones, and Engler; Noes – None.

11. COMMITTEE/COMMISSION/BOARD REPORTS: None.12. CITY COUNCIL AS SUCCESSOR AGENCY TO THOUSAND OAKS REDEVELOPMENT AGENCY REPORTS: None.13. COUNCIL ISSUES/RECOMMENDATIONS: None.14. CITY MANAGER:

- A. Announcements and upcoming issues: City Manager Powers provided an update on the January 25, 2022, City Council Meeting.

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15. CLOSED SESSIONS REQUESTED:

City Attorney Noonan announced closed session held at 8:32 p.m.

- A. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: *Suzanne Rosenthal vs. City of Thousand Oaks*; Case No.: 56-2019-00531953-CU-PO-VTA; Pursuant to Government Code Section 54956.9(a).

City Attorney Noonan indicated no announcement anticipated.

16. PUBLIC NOTICES: None.17. ADJOURNMENT:

City Council adjourned at 9:04 p.m. in memory of Sara Dibler, retired City employee, and annual adjournment in memory of Mayor Emeritus Alex Fiore who passed away January 3, 2002 to Regular Meeting on Tuesday, January 25, 2022.

Bob Engler, Mayor
City of Thousand Oaks City Council

Attest:

Cynthia M. Rodriguez, City Clerk
City of Thousand Oaks City Council

AGENDA POSTED: January 6, 2022
MINUTES APPROVED: January 25, 2022

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the City of Thousand Oaks City Council on the date cited above.

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EXHIBIT A7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH I. ARE TO APPROVE
RECOMMENDATIONS FOR ITEMS J. THROUGH L. ARE TO ADOPT*

Motion by Councilmember Adam to approve Consent Calendar, carried 5-0 by the following vote: Ayes – Bill-de la Peña, Adam, McNamee, Jones, and Engler; Noes – None.

- A. General, Utilities, Golf Course, and Theatres Demands – ratify December 8, 2021; December 15, 2021; December 22, 2021; December 29, 2021; and January 5, 2022; approve January 12, 2022, and January 19, 2022, subject to review and ratification
- B. Minutes of City Council meeting of December 14, 2021
- C. Approved Expenditure: Hill Canyon Treatment Plant Stormwater Diversion Project (CI 5427); Second Amendment to Professional Services Agreement No. 12393-2020 with Dudek, Inc., for environmental studies and permitting assistance in amount of \$134,101.77, revised not-to-exceed amount \$239,579.77; authorize expenditure in amount of \$147,511 (\$134,101.77 agreement, plus extra services \$13,409.23) A/C #624-8250-682-5500 (CI 5427, Contracted Services) for Hill Canyon Treatment Plant Stormwater Diversion project
- D. No Appropriation/Expenditure Required: Financial Reports for Fiscal Year Ended June 30, 2021; receive and file reports
- E. Approved Expenditure: Thousand Oaks Plan to Assist School Sites Annual Project List for FY 2021-22 totaling \$1,253,489 submitted by Conejo Valley Unified School District (CVUSD)
- F. No Appropriation/Expenditure Required: Development Impact Fees: Annual Review of Accounts as of June 30, 2021; receive and file report

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7. CONSENT CALENDAR: (Continued)

- G. Approved Expenditure: Innovative Interfaces Inc. Contracts; First Amendments to Subscription License Agreement and Master Professional Services Agreement (Contract No. 12353-2020) with Innovative Interfaces Inc. to include Innovative Mobile App, \$29,972.50; and implementation of Vega Experience Platform, \$5,000 included in original not-to-exceed amount \$500,000, as extra services; term through 06/30/2025; Software-as-a-Service (SaaS) Subscription Agreement for Vega Library Experience Platform, not-to-exceed amount \$83,000 to work concurrently with existing Sierra Library Services Platform through 06/30/2025; authorize additional expenditure for Vega Library Experience Platform, \$25,000 for FY 2021-22 as follows: \$20,000 A/C #110-7330-673-3122 (Library Fund Computer Software License), \$5,000 A/C #110-7330-673-5420 (Library Fund Consulting Services); authorize additional expenditure for Vega Library Experience Platform, \$20,500 for FY 2022-23 A/C #110-7330-673-3122 (Library Fund Computer Software License)

- H. Approved Expenditure: Video/Teleconferenced Public Meetings; adopt resolution

RESOLUTION MAKING FINDINGS IN ACCORDANCE WITH AB 361 AND GOVERNMENT CODE SECTION 54953(e), AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF CITY COUNCIL AND ALL SUBORDINATE BODIES OF CITY OF THOUSAND OAKS
RES. NO. 2022-001

- I. No Appropriation/Expenditure Required: Annual Appointment of City Treasurer and Adoption of Investment Policy; adopt resolution

RESOLUTION RECONFIRMING JAIME BOSCARINO AS CITY TREASURER FROM FEBRUARY 1, 2022 THROUGH JANUARY 31, 2023 AND ADOPTING UPDATED INVESTMENT POLICY
RES. NO. 2022-002

ORDINANCES FOR SECOND READING:

- J. ORDINANCE APPROVING DEVELOPMENT AGREEMENT (1872 NEWBURY ROAD; APPLICANT: DAYLIGHT T.O., LLC) (Introduced 12/14/21; 4-0, Jones absent)
ORD. NO. 1693-NS

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7. CONSENT CALENDAR: (Continued)

ORDINANCES FOR SECOND READING: (Continued)

- K. ORDINANCE ADJUSTING AND SETTING RATES AND FEES OF CITY WATER DIVISION (UNCODIFIED) (Introduced 12/14/21; 4-0, Jones absent)

ORD. NO. 1694-NS

- L. ORDINANCE ADJUSTING AND SETTING RATES, FEES AND DISCHARGE LIMITS OF CITY WASTEWATER DIVISION (UNCODIFIED) (Introduced 12/14/21; 4-0, Jones absent)

ORD. NO. 1695-NS